

Serial No.: 09/802,794

### REMARKS

Claims 26, 27, 29-32, 58, 59 and 61-64 are pending in the application. Claims 26 and 58 are amended herein. Entry of the amendment and favorable reconsideration of the application is respectfully requested.

Claims 26 and 58 are amended to define further the particular adjustment processing carried out in accordance with the invention. Specifically, the adjustment processing includes acquiring the recording and reproduction condition by adjustment for each of the plurality of segmented temperature ranges. Each acquired recording and reproduction condition is recorded in a drive information area of the information recording medium. The recorded recording and reproduction condition are read when recording and reproduction adjustment is necessary. This provides an advantage in that the time period required for recording power adjustment can be made shorter, and thus the wait time required for adjustment can be made shorter. Support for the amendment is found, for example, at page 48, lines 1-18 of the present application.

**I. REJECTION OF CLAIMS 26, 27, 29, 30, 58, 59 AND 62 UNDER 35 USC §102(b)**

Claims 26, 27, 29, 30, 58, 59 and 62 remain rejected under 35 USC §102(b) based on *Watanabe*. Applicants respectfully request withdrawal of the rejection for at least the following reasons.

Regarding Applicants' previous response, the Examiner indicates on pages 7-8 of the Office Action that "in response to applicants' argument that the references fail to show certain features of applicants' invention, it is noted that the features upon which applicant relies ... are not recited in the rejected claims". Applicants have amended claims 26 and 58 to define the adjustment processing in more detail. Specifically, the adjustment processing includes acquiring the recording and reproduction condition by adjustment for each of the plurality of segmented temperature ranges. Each acquired recording and reproduction condition is recorded in a drive information area of the information recording medium. The recorded recording and reproduction condition are read when recording and reproduction adjustment is necessary.

Serial No.: 09/802,794

*Watanabe* teaches a method in which an MPU forbids using a write memory when a temperature detected with a temperature sensor is greater than a value set at a value lower than a value of a temperature becoming an abnormal temperature. (See, e.g., Abstract). If the temperature is equal or less than a regular value the disk controller 4 sets a light power on the basis of the temperature-power table in Fig. 2, and writes data on the optical recording medium 13.

The temperature-power table in Fig. 2 of *Watanabe* is stored beforehand in the program memory 8. However, it is possible according to *Watanabe* to access control tracks of the optical recording medium 13, to read the power table corresponding to the type of each medium from the control tracks of the optical recording medium, and to store in another memory. (See, e.g., Col. 5, Ins. 17-36).

In either case, however, *Watanabe* does not teach or suggest acquiring the recording and reproduction condition by adjustment for each of the plurality of segmented temperature ranges and recording the acquired recording and reproduction condition in a drive information area of the information recording medium as recited in amended claims 26 and 58. Nor does *Watanabe* teach or suggest reading such recorded recording and reproduction condition when recording and reproduction adjustment is necessary as recited in amended claims 26 and 58. As noted above, *Watanabe* does not teach or suggest acquiring the recording and reproduction condition by adjustment for each of the plurality of segmented temperature ranges as recited in amended claims 26 and 58.

For at least the above reasons, withdrawal of the rejection of claims 26, 58 and the claims dependent therefrom is respectfully requested.

## **II. REJECTION OF CLAIMS 31, 32, 61, 63 AND 64 UNDER 35 USC §103(a)**

Claims 26-32 and 58-64 stand rejected under 35 USC §103(a) based on *Watanabe* in view of *Takahashi*. Applicants respectfully request withdrawal of this rejection for at least the following reasons.

Serial No.: 09/802,794

Claims 26 and 58 may each be distinguished over the teachings of *Watanabe* for at least the same reasons as discussed above. Moreover, *Takahashi* fails to make up for the deficiencies in *Watanabe*.

Specifically, *Takahashi* describes an optical recording medium having a plurality of test areas on each of which test signals are written. *Takahashi* further describes a plurality of power setting information areas on each of which an optimum laser power obtained by reading the recorded test signal written in one of the test areas is written. (See, e.g., Abstract).

On the other hand, *Takahashi* is similar to *Watanabe* in failing to teach or suggest acquiring the recording and reproduction condition by adjustment for each of the plurality of segmented temperature ranges and recording the acquired recording and reproduction condition in a drive information area of the information recording medium as recited in amended claims 26 and 58. Nor does *Takahashi* teach or suggest reading such recorded recording and reproduction condition when recording and reproduction adjustment is necessary as recited in amended claims 26 and 58. As noted above, *Takahashi* also does not teach or suggest acquiring the recording and reproduction condition by adjustment for each of the plurality of segmented temperature ranges as recited in amended claims 26 and 58.

### III. CONCLUSION

Accordingly, all claims 26, 27, 29-32, 58, 59 and 61-64 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

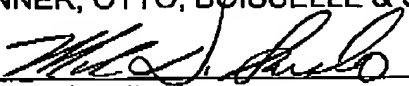
Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Serial No.: 09/802,794

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

  
Mark D. Saralino  
Reg. No. 34,243

DATE: February 28, 2005

The Keith Building  
1621 Euclid Avenue  
Nineteenth Floor  
Cleveland, Ohio 44115  
(216) 621-1113  
B:\GENYAMA\Yamap755\yamap755.aaf.wpd